



CITY OF MORGAN HILL

**CITY COUNCIL
MORGAN HILL REDEVELOPMENT AGENCY**

COUNCIL CHAMBERS

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

COUNCIL MEMBERS

Dennis Kennedy, Mayor
Greg Sellers, Mayor Pro Tempore
Hedy L. Chang, Council Member
Steve Tate, Council Member
Larry Carr, Council Member

REDEVELOPMENT AGENCY

Dennis Kennedy, Chair
Larry Carr, Vice-Chair
Hedy L. Chang, Agency Member
Steve Tate, Agency Member
Greg Sellers, Agency Member

WEDNESDAY, MARCH 21, 2001

AGENDA

JOINT MEETING

CITY COUNCIL REGULAR MEETING

and

REDEVELOPMENT AGENCY SPECIAL MEETING

7:00 P.M.

CALL TO ORDER

(Mayor/Chair Kennedy)

ROLL CALL ATTENDANCE

(City Clerk/Agency Secretary Torrez)

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2

(City Clerk/Agency Secretary Torrez)

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

INTRODUCTIONS

Building Division

Larry Ford, Chief Building Official

Finance

Marla Anderson, Accounting Assistant I

Human Resources

Joni Evans, Administrative Analyst

MHPD

Kevin Beilmann, Community Service Officer

Dawn Almario, Community Service Officer

PROCLAMATION

Haru Matsuri Proclamation

Mark Tamura/Ron Mayeda

Northern California Taiko Exposition Day

Jon Kitahara

PRESENTATION

Morgan Hill Historical Society: Plans for the Villa Mira Monte Site

CITY COUNCIL REPORT

City Council Member Tate

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.

(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME THE ITEM IS
ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND PRESENT
IT TO THE CITY CLERK.**

(See notice attached to the end of this agenda.)

**PLEASE SUBMIT WRITTEN CORRESPONDENCE TO THE CITY CLERK/AGENCY SECRETARY. THE CITY
CLERK/AGENCY SECRETARY WILL FORWARD CORRESPONDENCE TO THE CITY COUNCIL/REDEVELOPMENT
AGENCY.**

City Council Action

CONSENT CALENDAR: The Consent Calendar, Agenda Items #1 through #16 may be acted upon with one motion, a second and the vote. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Time Estimate		Page
	Consent Calendar: 1 - 10 Minutes	
1.	<u>MARCH 2001 FINANCE AND INVESTMENT REPORT</u> 1 <u>Recommended Action(s):</u> <u>Accept and file</u> report.	
2.	<u>YOUTH SCHOLARSHIP PROGRAM</u> 27 <u>Recommended Action(s):</u> <u>Approve</u> the Form and Program as Presented.	
3.	<u>YOUTH ADVISORY COMMITTEE LOGO AND TEEN ZONE LOGO</u> 33 <u>Recommended Action(s):</u> <u>Approve</u> the Recommended Logos as Presented by the Youth Advisory Committee and Supported by the Parks and Recreation Commission.	
4.	<u>AUTHORIZE THE PURCHASE OF A DIGITAL VOICE RECORDER FOR THE POLICE DEPARTMENT</u> 35 <u>Recommended Action(s):</u> 1. <u>Authorize</u> the City Manager to Purchase a Replacement Digital Voice Recorder to Record Emergency Telephone Calls and Radio Communications, 2. <u>Declare</u> the Existing Dictaphone Recorder as Surplus, And 3. <u>Authorize</u> Disposal of Surplus Recorder Through Auction.	
5.	<u>APPROVAL OF SUBDIVISION IMPROVEMENT AGREEMENT WITH FERNANDO ROCHA</u> 37 <u>Recommended Action(s):</u> 1. <u>Approve</u> the Subdivision Improvement Agreement, and 2. <u>Authorize</u> the City Manager to Sign the Agreement on behalf of the City with Fernando Rocha.	
6.	<u>APPROPRIATION OF FUNDS AND APPROVAL OF PROFESSIONAL SERVICES AGREEMENT FOR DESIGN OF THE MONTEREY ROAD/UPRR UNDERCROSSING & BIKEWAY IMPROVEMENT AND THE MAIN AVENUE/UPRR SAFETY IMPROVEMENT PROJECTS</u> 47 <u>Recommended Action(s):</u> 1. <u>Appropriate</u> \$90,000 from the Unappropriated Street Fund for the Design of the Monterey Road/UPRR Undercrossing & Bikeway Improvement Project and the Design of the Main Avenue/UPRR Safety Improvement Project. The Total Consultant Services Request Is for \$120,000, However, \$30,000 Has Already Been Allocated in the 2000/2001 CIP, and 2. <u>Authorize</u> the City Manager to Execute a Professional Services Agreement with Rajappan & Meyer in the Amount of \$120,000 for the Design of the Monterey Road/UPRR Undercrossing & Bikeway Improvement Project and the Main Avenue/UPRR Safety Improvement Project.	
7.	<u>PURCHASE OF PUBLIC WORKS EQUIPMENT</u> 57 <u>Recommended Action(s):</u> 1. <u>Authorize</u> Purchase of a Clark CMP-30 Forklift Truck for a Total Cost of \$23,070.96 (CMAS 4-96-39-0001A), 2. <u>Authorize</u> Purchase of a John Deere 6310 Cab Tractor for a Total Cost of \$45,349.47 (CMAS 4-96-38-0002A), 3. <u>Authorize</u> Purchase of a Tiger Boom Flail, Rear Flail and Side Flail Mower for a Total Cost of \$46,775.64 (CMAS 4-99-37-0002A), and 4. <u>Declare</u> W64318 (Forklift) and D87321 (Loader) Surplus Equipment.	
8.	<u>FINAL MAP ACCEPTANCE FOR MADRONE CROSSING (TRACT 9280)</u> 59 <u>Recommended Action(s):</u> <u>Approve</u> and <u>Authorize</u> the Recordation of the Final Map.	

9.	<u>APPROVAL OF IMPROVEMENT AGREEMENT WITH MIKE AND JONNA DUNNE-761 DAKOTA DRIVE</u>	63
	<u>Recommended Action(s):</u> <u>Approve</u> the Improvement Agreement and <u>Authorize</u> the City Manager to Sign the Agreement on Behalf of the City with Mike and Jonna Dunne.	
10.	<u>COUNCIL RESOLUTION SUPPORTING GRANT FUNDING FOR THE CONSTRUCTION OF A PORTION OF THE WEST LITTLE LLAGAS CREEK TRAIL FROM WEST EDMUNDSON 500 FEET SOUTHERLY</u>	73
	<u>Recommended Action(s):</u> <u>Approve</u> Resolution No. 5461 Supporting Grant Funding for the Construction of a Portion of the West Little Llagas Creek Trail from West Edmundson Boulevard 500 Feet Southerly Along the Westerly Bank of West Little Llagas Creek.	
11.	<u>APPLICATION ZA-00-09: ST. LOUISE - SAN JOSE CHRISTIAN COLLEGE</u>	77
	<u>Recommended Action(s):</u> <u>Adopt</u> Resolution No. 5462 Denying the Zoning Amendment Application.	
12.	<u>EXECUTION OF CONTRACT FOR AUDIT AND ACTUARIAL SERVICES</u>	79
	<u>Recommended Action(s):</u> <u>Authorize</u> City Manager to Execute Contract with ARM Tech, Incorporated, for Preparation of Risk Management Audit and Actuarial Analysis.	
13.	<u>ENERGY CONSERVATION ACTIVITIES</u>	107
	<u>Recommended Action(s):</u> <u>Receive</u> and <u>File</u> Report.	
14.	<u>TRAFFIC CONGESTION RELIEF REPORT</u>	113
	<u>Recommended Action(s):</u> <u>Accept</u> and <u>File</u> Report.	
15.	<u>RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCS) 2001 QUARTERLY REPORT NO. 1</u>	117
	<u>Recommended Action(s):</u> <u>Accept</u> the Report by Minute Action.	
16.	<u>APPROVAL OF SPECIAL CITY COUNCIL MEETING MINUTES OF MARCH 2, 2001</u>	129

PUBLIC HEARINGS:

	Time Estimate		Page
17.	20 minutes	<u>COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL ALLOCATION (FY2001-2002)</u>	133
		<u>Recommended Action:</u> Request staff presentation.	
		Public Hearing opened.	
		Please limit your remarks to 3 minutes. Public Hearing closed.	
		Council discussion.	
		Action –	<u>Motion to Adopt</u> Resolution No. 5460 for the Allocation of FY2001-2002 Federal CDBG Funds.
		Action –	<u>Motion to Authorize</u> the City Manager to Take All Steps Necessary for Implementation of the CDBG Program Including Execution of All Required Contracts.

OTHER BUSINESS:

Time

	Estimate		Page
18.	20 minutes	<u>FOXHOLLOW/MURPHY SPRINGS LANDSCAPE MAINTENANCE DISTRICT - PUBLIC MEETING PURSUANT TO BALLOT PROCEEDING</u>	201
		<u>Recommended Action(s):</u> <u>Take No Action</u> - Receive Public Comment Only.	
19.	15 minutes	<u>MEDICAL SERVICES SUBCOMMITTEE REPORT</u>	253
		<u>Recommended Action(s):</u> <u>Accept</u> and <u>File</u> Report.	
20.	10 minutes	<u>LIBRARY COMMISSIONER APPOINTMENTS</u>	269
		<u>Recommended Action(s):</u>	
		1. <u>Extend</u> the Terms of the Current Commissioners for One Month,	
		2. <u>Assign</u> a Sub-committee to Conduct Interviews, and	
		3. <u>Make</u> Recommendations for Appointment.	
21.	10 minutes	<u>POTENTIAL JOINT RECREATIONAL USE OF SAN PEDRO GROUNDWATER RECHARGE PONDS</u>	273
		<u>Recommended Action(s):</u> <u>Determine</u> if City Staff Should be Directed to Explore with the Santa Clara Valley Water District (SCVWD) Staff Recreational Joint Use Options at the San Pedro Ponds.	

Redevelopment Agency Action

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	Time Estimate Consent Calendar: 1 - 10 Minutes		Page
22.		<u>CONTRACT WITH RICHARD SAMPSON ASSOCIATES</u>	281
		<u>Recommended Action(s):</u> <u>Authorize</u> the Executive Director to Negotiate and Execute Contract with Richard Sampson Associates for Project Management Services for the Community Center and Community Playhouse Projects, in an Amount Not to Exceed \$48,600.	

OTHER BUSINESS:

23.	30 minutes	<u>COMMUNITY AND CULTURAL CENTER BUDGET ESTIMATE AND DESIGN</u>	283
		<u>Recommended Action(s):</u>	
		1. <u>Direct</u> Staff and the Architect to Revise the Project Drawings to Identify Certain Site Features as Bid Additions, and	
		2. <u>Select</u> Appropriate Design for the Children's Activity Room.	

City Council & Redevelopment Agency Action

CONSENT CALENDAR: The Consent Calendar, Agenda Items #24 through #26 may be acted upon with one motion, a second and the vote. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

Time Estimate	Page
Consent Calendar: 1 - 10 Minutes	

24.	<u>APPROVAL OF JOINT REGULAR REDEVELOPMENT AGENCY AND SPECIAL CITY COUNCIL MEETING MINUTES OF FEBRUARY 28, 2001</u>	287
25.	<u>APPROVAL OF JOINT REGULAR CITY COUNCIL AND SPECIAL REDEVELOPMENT AGENCY MEETING MINUTES OF MARCH 7, 2001</u>	293
26.	<u>APPROVAL OF JOINT SPECIAL CITY COUNCIL AND SPECIAL REDEVELOPMENT AGENCY MEETING MINUTES OF MARCH 7, 2001</u>	303

OTHER BUSINESS:

27.	10 minutes	<u>REPORT ON HOUSING SYMPOSIUM</u>	305
<u>Recommended Action:</u> Mayor Pro Tempore Greg Sellers Will Make a Report Including Any Recommended Actions to the City Council/Agency at the Meeting.			

CLOSED SESSION:

**Time
Estimate**

1.	
<u>CONFERENCE WITH LEGAL COUNSEL (POTENTIAL LITIGATION) AND CONFERENCE WITH REAL PROPERTY NEGOTIATORS</u>	
Legal Authority:	Government Code 54956.8, 54956.9(b), & 54956.9(c) (1 potential case)
Real Property(ies) involved:	APN 728-31-007 & 008; 25.50 acres located on the southwesterly side of Road (St. Louise Hospital property)
City Negotiators:	City Council/Agency Members; City Manager/Executive Director; City Attorney/Agency Counsel; and Special Counsel
For Property Owner:	San Jose Christian College representatives
Closed Session Topic/Under Negotiations:	Potential Litigation & Price and Terms of Payment

2.

CONFERENCE WITH LEGAL COUNSEL (POTENTIAL LITIGATION) AND CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Legal Authority: Government Code 54956.8 and Government Code section 54956.9(c)
Property: APN 817-13-001; 37.8 acres (soccer complex)
Negotiating Parties:
 For City: City Manager, City Attorney, Public Works Director
 For Property Owners: Tadashi & Alice A. Kadonaga, Trustee
Closed Session Topic/Under Negotiation: Potential Litigation and Price and Terms of Payment

3.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Legal Authority: Government Code 54956.8
Real Property Involved: 3.85, 9.04, and 17.58 acre parcels located on the east side of Condit Road, bound be Condit Road, Tennant Avenue, Barrett Avenue and Murphy Avenue (APNs 817-13-008 & 011 and 017)
Negotiating Parties:
 For City/Agency: City Manager/Executive Director; Interim City Attorney/Agency Counsel; Director of Business Assistance & Housing Services
 For Property Owners: T&C Development, LTD Partnership; Kathleen Sergi; Virginia Lomanto Trustee
Under Negotiation: Price & Terms of Payment

4.

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Legal Authority: Government Code 54956.8
Property: APN 779-04-010; 14465 Monterey Road; 29.2 acres
Negotiating Parties:
 For City: City Manager; Public Works Director
 For Property Owners: William Sing and Young Kay Mock; The GFI Company
Under Negotiation: Price and Terms of Payment

5.

CONFERENCE WITH LEGAL COUNSEL (POTENTIAL LITIGATION) & CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Legal Authority: Government Code 54956.8 & 54946.9(c)
Property: APN 825-06-002, 003, 029, 030; 36.6 acres (Railroad/Maple - Butterfield Retention Basin Site)
Negotiating Parties:
 For City: City Manager; Public Works Director
 For Property Owners: Costa Family Partners
Closed Session Topic/Under Negotiation: Potential Litigation & Price and Terms of Payment

6.

CONFERENCE WITH LEGAL COUNSEL (POTENTIAL LITIGATION) & CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Legal Authority: Government Code 54956.8 and 54956.9(c)
Real Property Involved: A 8.49 acre parcel located on West Edmundson Avenue, east of Community Park (APN 767-18-025)

City/Agency Negotiators:	City Manager/Executive Director; City Attorney/Agency Counsel; Director of Business Assistance & Housing Services
For Property Owners:	Gunderson Family Trust
Closed Session Topic/Under Negotiation:	Potential Litigation & Price and Terms of Payment

7.

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Legal Authority:	Government Code 54956.8
Real Property Involved:	An 8.25 acre parcel located on Diana Avenue, west of the Future Butterfield Boulevard extension (APN 726-12-006)
Negotiators:	
For City/Agency:	City Manager/Executive Director; City Attorney/Agency Counsel; Director of Business Assistance & Housing Services
For Property Owners:	Kontrabecki Associates (or appropriate owner)
Under Negotiation:	Price and Terms of Payment

OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION:

RECONVENE:

CLOSED SESSION ANNOUNCEMENT:

FUTURE COUNCIL-INITIATED AGENDA ITEMS:

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

ADJOURNMENT